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FILED
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APR 20 2005 P 12:31
DISTRICT OF MASS.

April 20, 2005

By Messenger

Mr. Dennis O'Leary
Courtroom Clerk to the Honorable Mark L. Wolf
United States District Court
Moakley U.S. Courthouse
1 Courthouse Way
Boston, MA 02210

Re: **ABC Mortgage Corporation et al., v. Scottsdale Insurance Co.**
Civ. Action No. 04-10816 MLW


Dear Mr. O'Leary:

Following our telephone conversation yesterday afternoon, enclosed please find an Assented to Motion to Continue the Rule 16.1 Scheduling Conference now set for Monday April 25, 2005 at 2:00pm. As reason for this motion, I was not served with notice of the conference, and did not obtain a copy of the notice until I searched Pacer yesterday afternoon. The three business days remaining before the scheduled conference do not provide sufficient opportunity to comply with the requirements of Local Rule 16.1.

To the extent that it might assist the Court with scheduling, lead counsel for ABC Mortgage will be in trial from the 23rd of May through the end of the month.. Both counsel for Scottsdale and ABC Mortgage are available for a scheduling conference in early June, if those dates should serve the convenience of the Court.

Thank you very much for your assistance and consideration with regard to this matter.

Sincerely,


Stephen J. Abarbanel
Counsel to Scottsdale Insurance Company

cc: Kerry Florio, Esq.
Melick, Porter and Shea, LLP



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